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Senate Bill _____
By _____

House No. HB0697
By Bragg, Sr.

AN ACT to repeal Tennessee Code Annotated, Section 49-8-701, to amend TCA Title 68, Chapter 102, and to enact other provisions relative to the creation and funding of a state fire service academy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-8-701, is repealed.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 102, Part 1, is amended by adding the following as a new appropriately designated section:

(a) There is established a state institution to be known as the Tennessee fire service and codes enforcement academy within the department of commerce and insurance. All positions, and all tangible assets excluding real property, previously under the board of regents for the institution originally created by T.C.A. § 49-8-701 are transferred to the department of commerce and insurance.

(b) The institution shall be under the direction of the commissioner of commerce and insurance and is assigned to the division of fire prevention under the supervision of the division head. The commissioner shall provide adequate staff to serve the needs of

the volunteer, career, paid-on-call, and other firefighters and code enforcement officials of the state , municipalities, counties, and other entities within the state of Tennessee. The commissioner of commerce and insurance shall develop a suitable curriculum that serves the purpose stated in subsection (c).

(c) The purpose of this fire service and code enforcement academy is to provide effective training to all firefighters (volunteer and career), fire and building code enforcement personnel, and other related service professionals in the state of Tennessee. The academy shall teach current methods and practices and develop new methods and practices in the fields of firefighting, fire and building code enforcement, fire prevention, public fire safety education, fire investigation, and related subjects.

SECTION 3. All employees currently assigned duties for the Tennessee state fire college, working under the board of regents, are transferred to the department of commerce and insurance and are granted "career employee" status with no probationary period. This does not include the director of any of the schools where these employees are currently assigned.

SECTION 4. The commissioner of commerce and insurance with the support of the department of finance and administration is to locate a suitable site and to construct a state of the art fire and code enforcement training facility, centrally located in the state with dormitories, eating facilities, classrooms, labs, office space, and other such accommodations as are necessary. The cost of this new fire and codes enforcement training facility shall be paid from bonds issued by the state of Tennessee. Annual operating costs of the facility shall be paid from the fire prevention fund.

SECTION 5. Tennessee Code Annotated, Section 68-102-142, is amended by deleting the following language:

"and the payment out of such fund for the expenses and maintenance of such division shall be made only on the warrant of the commissioner of commerce and insurance, and any and all moneys on hand in this division at the end of each fiscal year shall be turned

into the general fund of the state; provided, that this state shall in no way be liable for the salaries or expenses of the fire prevention division other than the fund as herein provided for such purposes.

SECTION 6. Tennessee Code Annotated, Section 68-102-142, is further amended by designating the existing language as subsection (a) and by adding the following new subsections:

(b) All moneys, fees, and other revenues collected by or for the division of fire prevention shall be deposited in the state treasury in the "fire prevention fund".

(c) Disbursements from this fund shall be made solely for the purpose of defraying expenses incurred in the operation of the division of fire prevention.

(d) Any part of the "fire prevention fund" remaining at the end of a fiscal year shall not revert to the general fund, but shall be carried forward until expended in accordance with the provisions for which the fund was created.

SECTION 7. The Tennessee code commission is directed to make appropriate editorial changes throughout the Tennessee Code Annotated to effect the implementation of this act.

SECTION 8. All rules, regulations, orders and decisions heretofore issued or promulgated by the Tennessee board of regents with respect to the Tennessee state fire college shall remain in full force and effect and shall hereafter be administered and enforced by the department of commerce and insurance. The department of commerce and insurance, division of fire prevention, may promulgate any rules and regulations, in accordance with the Uniform Administrative Procedures Act (TCA 4-5-101 et seq.) necessary for the efficient operation of the academy, including but not limited to, administration, operation, curriculum, conduct, attendance, fees, and related items.

SECTION 9. This act shall take effect on July 1, 1995, the public welfare requiring it.